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1	SECTION K
2	OTHER FEDERAL LAWS
3	6 CCR 1007-3 § 100.41(a)(20)]
4	
5	The following paragraphs discuss the applicable federal laws as they pertain to the Pueblo Chemical
6	Agent-Destruction Pilot Plant (PCAPP) Explosive Destruction System (EDS) operations at Pueblo
7	Chemical Depot (PCD), Colorado.
8	
9	National Environmental Policy Act (NEPA)
10	
11	A Programmatic Environmental Impact Statement (PEIS), entitled Final Programmatic Environmental
12	Impact Statement, Transportable Treatment for Non-Stockpile Chemical Warfare Materiel, was published
13	in 2001. The PEIS includes analysis of the EDS to treat non-stockpile munitions.
14	
15	An Environmental Assessment (EA), entitled Proposed Installation and Operation of Explosive
16	Destruction Technology Facility at U.S. Army Pueblo Chemical Depot, was published in April 2012. The
17	EA determined that the proposed action of deploying and operating an explosive destruction technology
18	that included the EDS to destroy overpacked mustard agent munitions currently stored at PCD would
19	have no significant environmental impacts. A Finding of No Significant Impact was published in
20	August 2012.
21	
22	A Record of Environmental Consideration is being prepared to document and assess the change in
23	location of the EDS analyzed in the 2012 PCD Explosive Destruction Technology EA.
24	
25	Clean Air Act
26	
27	A modification request to the PCD Synthetic Minor air permit addressing operations at the PCAPP EDS
28	site will be prepared, encompassing all applicable provisions of the Clean Air Act Amendments. The
29	modification request will be submitted to the Colorado Department of Public Health and Environment
30	(CDPHE) Air Pollution Control Division.
31	
32	Clean Water Act
33	
34	Construction and industrial storm water discharge permits may be required for the PCAPP EDS site. If
35	required, the U.S. Army Corps of Engineers will prepare and submit the necessary notifications under the

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2012 Construction General Permit to the Environmental Protection Agency, Region 8. There will be no

2 direct discharges from the PCAPP EDS site operations. The PCAPP EDS site will have water and sewer

3 lines managed by PCD, as applicable.

4 5

Toxic Substances Control Act

6

7 Substances regulated under the Toxic Substances Control Act will not be processed at the PCAPP EDS

site; therefore, this act does not apply.

9 10

8

The National Historic Preservation Act of 1966

11

12 The required consultation with the Colorado State Historic Preservation Office is performed as part of the

NEPA process. No historic or archaeological resources will be affected by operations at the PCAPP EDS

14 site.

15 16

The Fish and Wildlife Coordination Act and the Endangered Species Act of 1973

17

18 Threatened and endangered species are managed at PCD under the Integrated Natural Resource

19 Management Plan.

20

21 The Wild and Scenic Rivers Act

22

23

The location of the PCAPP EDS site will not affect any wild and scenic rivers, as there are no listed wild

and scenic rivers within the PCD or PCAPP EDS site.

242526

The Coastal Zone Management Act

2728

This Act does not apply to the PCAPP EDS site because it is not located in a coastal zone.

2930

Executive Orders

31

32 Executive Order 11988, Floodplain Management, stipulates that federal agencies should avoid using

floodplain resources. The PCAPP EDS site will be located outside the 100-year floodplain.

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2 wetland resources. The PCAPP EDS site operations will comply with this Executive Order, as the 3 PCAPP EDS site is not a wetland. 4 Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and 5 Low-Income Populations, requires federal agencies to address adverse health and environmental effects of 6 7 federal activities on minority and low-income populations. The PCAPP EDS site operations will comply 8 with this Executive Order. 9 10 Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, which directs federal agencies to implement sustainable practices for energy efficiency and reductions in 11 greenhouse gas emissions, use of renewable energy, reduction in water consumption intensity, acquisition 12 of green products and services, pollution prevention including the reduction or elimination of the use of 13 14 toxic and hazardous chemicals and materials, cost-effective waste prevention and recycling programs, increased diversion of solid waste, sustainable design/high performance buildings, vehicle fleet 15 16 management including use of alternative fuels and reduction of petroleum consumption and electronics 17 stewardship. This Executive Order supersedes Executive Order 13148, Greening the Government Through Leadership in Environmental Management. The PCAPP EDS site operations will comply with 18 19 this Executive Order to the extent practical. 20 21 Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance, expands on the energy reduction and environmental performance requirements for federal agencies 22 23 identified in Executive Order 13423. This Executive Order sets sustainability goals for federal agencies 24 and focuses on making improvements in their environmental, energy, and economic performance. The 25 Executive Order requires federal agencies to set a 2020 greenhouse gas emissions reduction target within 26 90 days; increase energy efficiency; reduce fleet petroleum consumption; conserve water; reduce waste;

support sustainable communities; and leverage Federal purchasing power to promote

with this Executive Order to the extent practical.

environmentally-responsible products and technologies. The PCAPP EDS site operations will comply

Executive Order 11990, Protection of Wetlands, stipulates that federal agencies should avoid using

1

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28 29 PCAPP EDS RCRA Modification Date: October 2013

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